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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/586,098	03/20/2007	Mikhail Laksin	S9025.0219	1736
32173 7590 10/06/2008 DICKSTEIN SHAPIRO LLP 1177 AVENUE OF THE AMERICAS (6TH AVENUE) NEW YORK, NY 10036-2714				
EXAMINER				
SHAH, MANISH S				
ART UNIT		PAPER NUMBER		
2853				
MAIL DATE		DELIVERY MODE		
10/06/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/586,098

**Applicant(s)**

LAKSIN ET AL.

**Examiner**

Manish S. Shah

**Art Unit**

2853

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 June 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SI/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Shinozuka et al. (# US 5190582).

Shinozuka et al. discloses:

- A printing ink comprising: (i) a solvent-soluble resin (column: 9, line: 20-30); (ii) an energy curable monomer, oligomer, or mixture thereof (column: 8, line: 50-60); and (iii) a vehicle (column: 5, line: 30-55).
- The energy curable monomer, oligomer, or mixture thereof, is an ethylenically unsaturated monomer, oligomer, or mixture thereof (see Examples; Table: 2), wherein the energy curable monomer, oligomer, or mixture thereof, is in an amount of about 1% to 50% by weight of the printing ink (see Examples; Table: 2).
- The solvent-soluble resin is in a range between about 0.1% to about 40% by weight of the printing ink (see Examples; Table: 2).
- The solvent-soluble resin comprises nitrocellulose, acrylate, methacrylate, polyester, polyamide, copolymer of styrene and maleic anhydride, polyurethane and epoxy (column: 9, line: 15-35).

- The vehicle comprises water, methanol, ethanol, n-propanol, iso-propanol, n-butanol, sec-butanol, tert-butanol, iso-butanol, n-pentanol, or ethyl acetate (column: 5, line: 30-65).
- The ink further comprising a photoinitiator, wherein the photoinitiator is in an amount between about 0.1% and about 20% (5 to 15%) by weight of the printing ink (column: 7, line: 45-50).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Laufer et al. (# US 4264483) in view of Shinozuka et al. (# US 5190582).

Laufer et al. discloses:

- A printing ink comprising: (i) photoreactive resin; (ii) an energy curable monomer, oligomer, or mixture thereof; and (iii) a vehicle (see Abstract; column: 1, line: 40-50; column: 2, line: 1-60).
- The energy curable monomer, oligomer, or mixture thereof, is an ethylenically unsaturated monomer, oligomer, or mixture thereof (see Examples; column: 2, line: 1-

30), wherein the energy curable monomer, oligomer, or mixture thereof, is in an amount of about 1% to 50% by weight of the printing ink (see Examples; column: 7, line: 1-65).

- The solvent-soluble resin is in a range between about 0.1% to about 40% by weight of the printing ink (column: 7, line: 40-45).

- The vehicle comprises water, methanol, ethanol, n-propanol, iso-propanol, n-butanol, sec-butanol, tert-butanol, iso-butanol, n-pentanol, or ethyl acetate (column: 2, line: 45-65).

- The ink further comprising a photoinitiator, wherein the photoinitiator is in an amount between about 0.1% and about 20% (5 to 15%) by weight of the printing ink (column: 7, line: 45-50).

- The photoinitiator is selected from the group consisting of benzophenone (column: 3, line: 15-45).

- A method of printing comprising: (i) printing a substrate with the printing ink (ii) drying the printed ink; and (iii) exposing the printed ink to an actinic radiation, wherein actinic radiation is UV light or electron beam (column: 1, line: 10-40; column: 8, line: 60-68).

- The steps (ii) and (iii) are performed sequentially or steps (ii) and (iii) are performed simultaneously (column: 1, line: 1-40).

Laufer et al. differ from the claim of the present invention is that the ink comprising the solvent-soluble resin, which is selected from nitrocellulose, acrylate, methacrylate, polyester, polyamide, copolymer of styrene and maleic anhydride, polyurethane and epoxy.

Shinozuka et al. teaches that to get the blur free, high density printed image, ink composition comprises the solvent-soluble resin, wherein resin is selected from styrene resin, and acrylate type resin (column: 9, line: 20-30).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the ink composition of Laufer et al. by the aforementioned teaching of Shinozuka et al. in order to have a blur free high density printed image.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Manish S. Shah whose telephone number is (571) 272-2152. The examiner can normally be reached on 8:00am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen D. Meier can be reached on (571) 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Manish S. Shah/  
Primary Examiner  
Art Unit 2853

/MSS/  
9/30/08